

**HOUSE JOURNAL
64TH LEGISLATURE
FIFTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
March 17, 2015

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative McCarthy. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative D. Moore, excused. Quorum present.

BILLS (Welborn, Chair):

3/17/2015

Correctly printed: **SB 276, SB 277, SB 338, SJR 9.**

Correctly engrossed: **HB 479, HB 576, HB 582, HB 589, HJR 21.**

Correctly enrolled: **HB 194, HB 279, HB 355, HB 390, HB 393, HJR 15.**

Transmitted to the Senate: **HB 477, HJR 7, SB 42, SB 56, SB 74, SB 80, SB 89.**

Signed by the Speaker at 10:00 a.m., March 20, 2015: **HB 12, HB 90, HB 132, HB 162, HB 197, HB 203, HB 222, HB 225, HB 232, HB 298, HB 354.**

Signed by the Chief Clerk of the House at 1:32 p.m., March 20, 2015: **HB 12, HB 90, HB 132, HB 162, HB 197, HB 203, HB 222, HB 225, HB 232, HB 298, HB 354.**

Signed by the President at 11:00 a.m., March 17, 2015: **HB 158, HB 206, HB 221, HB 466.**

Delivered to the Governor for approval at 9:00 a.m., March 17, 2015: **HB 61, HB 250, HB 296.**

Delivered to the Governor for approval at 11:34 a.m., March 17, 2015: **HB 158, HB 206, HB 221, HB 466.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the forty-first, forty-second, forty-third, forty-fourth, and forty-fifth legislative days, find the same to be correct.

Representative Welborn, Chair

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Wittich, Chair):

3/16/2015

HB 479, introduced bill, be amended as follows:

1. Page 3, line 2 through line 4.

Strike: "is guilty" on line 2 through "both" on line 4

Insert: "may be reported to the appropriate professional licensing board. The board shall review the complaint in accordance with the provisions of Title 37, chapter 1"

2. Page 3, line 5 through line 7.

Strike: "conviction" on line 5

Insert: "violation"

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Strike: "guilty" on line 5 through "both" on line 7

Insert: "subject to forfeiture of the person's professional license"

And, as amended, do pass. Report adopted.

HB 576, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

Following: "LICENSING" on line 4

Strike: ", " on line 4 through "CERTIFICATION" on line 5

2. Title, page 1, line 5.

Following: THE FIRST "OF"

Insert: "STATE-OPERATED"

3. Title, page 1, line 6.

Following: "LICENSE"

Strike: ", " through "CERTIFY"

Insert: "STATE-OPERATED"

Following: "FACILITIES;"

Insert: "PROVIDING RULEMAKING AUTHORITY;"

4. Title, page 1, line 7 through line 11.

Strike: "7-34-2301," on line 7 through "76-2-412," on line 11

Insert: "50-5-103 and 50-5-113,"

5. Page 1, line 15.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Department of justice to license health care facilities operated by state -- rulemaking authority. (1) The department of justice shall license a health care facility, as defined in 50-5-101, if the health care facility is operated by the state.

(2) (a) The department of justice shall adopt rules and minimum standards for implementation of Title 50, chapter 5, parts 1 and 2, as those parts apply to the licensing of state-operated health care facilities.

(b) The rules and standards adopted by the department of justice must be reasonably similar to those adopted by the department of public health and human services pursuant to 50-5-103 and 50-5-238.

(3) (a) The department of justice enjoys all of the rights and privileges and is subject to all of the duties and responsibilities granted to the department of public health and human services in Title 50, chapter 5, parts 1 and 2, as far as those rights, privileges, duties, and responsibilities relate to the licensing of state-operated health care facilities.

(b) A health care facility operated by the state and subject to licensing by the department of justice under this section is subject to the same duties, responsibilities, prohibitions, fees, and penalties as a health care facility licensed by the department of public

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health and human services in Title 50, chapter 5, parts 1 and 2.

(4) (a) The department of justice may bring an action for an injunction or other process against a person for the reasons listed in 50-5-108.

(b) (i) The department of justice or, on request of the department, the county attorney of the county in which the state-operated facility in question is located may petition a district court to impose a civil penalty as provided in 50-5-112.

(ii) The power to pursue other remedies, as provided to the department of public health and human services in 50-5-112(4), is granted to the department of justice to administer and enforce the provisions of this section.

(c) The department of justice may undertake an administrative action as provided in 50-5-114 and may file a complaint for receivership as provided in 50-5-115."

Insert: "Section 2. Section 50-5-103, MCA, is amended to read:

"50-5-103. Rules and standards -- accreditation. (1) The department shall adopt rules and minimum standards for implementation of parts 1 and 2, except that the department may not license a health care facility operated by the state.

(2) Any facility covered by this chapter or [section 1] shall comply with the state and federal requirements relating to construction, equipment, and fire and life safety.

(3) The department shall extend a reasonable time for compliance with rules for parts 1 and 2 upon adoption.

(4) (a) Any hospital located in this state that furnishes written evidence required by the department, including the recommendation for future compliance statements, to the department of its accreditation granted by an entity listed in subsection (4)(b) is eligible for licensure in the state for the accreditation period and may not be subjected to an inspection by the department for purposes of the licensing process.

(b) A hospital may provide evidence of its accreditation by:

(i) DNV healthcare, inc.;

(ii) the healthcare facilities accreditation program; or

(iii) the joint commission.

(c) The department may, in addition to its inspection authority in 50-5-116, inspect any licensed health care facility to answer specific complaints made in writing by any person against the facility when the complaints pertain to licensing requirements. Inspection by the department upon a specific complaint made in writing pertaining to licensing requirements is limited to the specific area or condition of the health care facility to which the complaint pertains.

(5) The department may consider as eligible for licensure during the accreditation period any health care facility located in this state, other than a hospital, that furnishes written evidence, including the recommendation for future compliance statements, of its accreditation by the joint commission. The department may inspect a health care facility considered eligible for licensure under this section to ensure compliance with state licensure standards.

(6) The department may consider as eligible for licensure during the accreditation period any rehabilitation facility that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the commission on accreditation of rehabilitation facilities. The department may inspect a rehabilitation facility considered eligible for licensure under this section to ensure compliance with state licensure standards.

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(7) The department may consider as eligible for licensure during the accreditation period any outpatient center for surgical services that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the accreditation association for ambulatory health care. The department may inspect an outpatient center for surgical services considered eligible for licensure under this section to ensure compliance with state licensure standards.

(8) The department may consider as eligible for licensure during the accreditation period any behavioral treatment program, chemical dependency treatment program, residential treatment facility, or mental health center that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the council on accreditation. The department may inspect a behavioral treatment program, chemical dependency treatment program, residential treatment facility, or mental health center considered eligible for licensure under this section to ensure compliance with state licensure standards."

Insert: "Section 3. Section 50-5-113, MCA, is amended to read:

"50-5-113. Criminal penalties. (1) A person is guilty of a criminal offense under this section if the person knowingly conceals material information about the operation of the facility or does any of the following and by doing so threatens the health or safety of one or more individuals entrusted to the care of the person:

- (a) commits an act prohibited by 50-5-111;
- (b) omits material information or makes a false statement or representation in an application, record, report, or other document filed, maintained, or used for compliance with the provisions of part 1 or 2 of this chapter or with rules, license provisions, or orders adopted or issued pursuant to part 1 or 2 or [section 1]; or
- (c) destroys, alters, conceals, or fails to file or maintain any record, information, or application required to be maintained or filed in compliance with a provision of part 1 or 2 of this chapter or in compliance with a rule, license provision, or order adopted or issued pursuant to part 1 or 2 or [section 1].

(2) A person convicted under subsection (1) is subject to a fine of not more than \$1,000 for the first offense and not more than \$2,000 for each subsequent offense for each day that a facility is in violation of a provision of part 1 or 2 of this chapter or of a rule, license provision, or order adopted or issued pursuant to part 1 or 2 or [section 1].

(3) In determining the amount of penalty to be assessed for an alleged violation under this section, the court shall consider:

- (a) the gravity of the violation in terms of the degree of physical or mental harm to a resident or patient;
- (b) the degree of harm to the health, safety, rights, security, or welfare of a resident or patient;
- (c) the degree of deviation committed by the facility from a requirement imposed by part 1 or 2 of this chapter or by a rule, license provision, or order adopted or issued pursuant to part 1 or 2 or [section 1]; and
- (d) other matters as justice may require.

(4) Prosecution under this section does not bar enforcement under any other section of this chapter or pursuit of any other appropriate remedy by the department or, if the facility is operated by the state, by the department of justice.

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(5) Venue for prosecution pursuant to this section is in the county in which the facility is located or in the first judicial district.

(6) A penalty collected under this section must be deposited in the state general fund."

Insert: "NEW SECTION. Section 4. Transition -- report to legislature. The department of justice shall create a transition plan to implement the provisions of [this act] by July 1, 2016. The department of public health and human services shall participate in the planning process to the extent required. The department of justice shall report to the children, families, health, and human services interim committee provided for in 5-5-225 at times requested by the committee."

Insert: "NEW SECTION. Section 5. Appropriation for transition support. (1) There is appropriated \$75,000 from the general fund to the department of justice for the biennium beginning July 1, 2015.

(2) The appropriation must be used to pay for two full-time equivalent personnel positions to serve as transition support to implement the provisions of [this act].

(3) The legislature intends that these positions be one-time-only positions for the biennium beginning July 1, 2015."

Insert: "NEW SECTION. Section 6. Effective dates. (1) Except as provided in subsection (2), [this act] is effective July 1, 2016.

(2) [Sections 4 and 5] and this section are effective July 1, 2015."

And, as amended, do pass. Report adopted.

HB 582, introduced bill, be amended as follows:

1. Page 2, line 3.

Strike: "that results in an individual's hospitalization"

Insert: "as provided in this part"

2. Page 2.

Following: line 3

Insert: " (2) "Critical access hospital" has the meaning provided in 50-5-101.

(3) "Department" means the department of public health and human services provided for in 2-15-2201."

Renumber: subsequent subsections

3. Page 2, line 4.

Following: "means"

Insert: "inpatient or outpatient"

4. Page 2, line 7.

Strike: "as defined in 50-5-101"

Insert: "or critical access hospital"

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5. Page 2.

Following: line 9

Insert: "(6) "Hospital" has the meaning provided in 50-5-101."

Renumber: subsequent subsections

6. Page 2, line 16.

Strike: "that results in hospitalization"

Insert: "requiring inpatient or outpatient hospital services"

7. Page 2, line 24.

Strike: "the following:"

Insert: "any health care service or procedure not covered by the Montana medicaid program provided for in Title 53, chapter 6, part 1."

8. Page 2, line 25 through page 3, line 2.

Strike: line 25 through line 2 in their entirety

9. Page 3, line 3 through line 4.

Strike: "with a home" on line 2 through "actually" on line 4

Insert: "who has"

10. Page 3, line 15.

Following: "individuals"

Insert: "as provided in this section.

(2) The program shall reimburse a health care provider other than a critical access hospital"

11. Page 3, line 16 through line 17.

Following: "a year" on line 16

Strike: ". The program"

Insert: "and"

Strike: "health" on line 16 through "providers" on line 17

12. Page 3.

Following: line 17

Insert: "(3) The program shall reimburse critical access hospitals for a maximum of 50% of the charity care provided to medically indigent individuals during a calendar year, according to the reimbursement schedule provided for in this section."

Renumber: subsequent subsections

13. Page 4, line 27.

Following: "income"

Insert: "at or"

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14. Page 5, line 1.

Strike: "a combination of"

Following: "income"

Strike: "and resources"

15. Page 5, line 6 through line 15.

Strike: subsection (3) in its entirety

16. Page 5, line 18.

Following: "provider"

Insert: "other than a critical access hospital"

17. Page 5, line 20.

Strike: "hospitalization."

Insert: "inpatient or outpatient hospital care."

(2) A critical access hospital shall submit the total amount of charity care provided during the previous 6 months. The department may reimburse a maximum of 50% of the charity care in accordance with [section 3].

(3) "

Renumber: subsequent subsections

18. Page 6, line 4.

Strike: "and resource"

19. Page 6, line 12.

Strike: "and resource"

20. Page 6, line 16.

Following: "provider"

Insert: "other than a critical access hospital"

21. Page 6, line 17.

Strike: "hospitalization. A health care provider"

Insert: "treatment in a hospital but"

22. Page 8, line 27 through line 28.

Strike: "public" on line 27 through "2-15-2602" on line 28

Insert: "department of public health and human services"

23. Page 9, line 15.

Strike: "public service commission"

Insert: "department"

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24. Page 11, line 16.

Following: "in"

Insert: "each year of"

25. Page 11, line 19.

Strike: "\$50,000"

Insert: "\$200,000"

26. Page 11, line 20 through line 22.

Following: "[section 9]" on line 20

Strike: "." through "2015," on line 22

Insert: "and"

And, as amended, do pass. Report adopted.

HB 589, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 8.

Strike: "REQUIRING FUNDING" through "APPROPRIATION;"

Insert: "AND"

Following: "DEFINITIONS;"

Strike: ";" through "DATE" on line 8

2. Page 1, line 12 through page 2, line 4.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 2, line 6.

Strike: "4"

Insert: "3"

4. Page 2, line 30.

Strike: "meet" through "[section 1]"

Insert: "prevent or mitigate adverse childhood experiences"

5. Page 3, line 26.

Strike: "4"

Insert: "3"

6. Page 3, line 29.

Strike: "4"

Insert: "3"

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7. Page 4, line 4.

Strike: "may"

Insert: "shall"

8. Page 4, line 13.

Strike: "may"

Insert: "shall"

9. Page 4, line 17 through page 6, line 24.

Strike: sections 5 through 7 in their entirety

Renumber: subsequent sections

10. Page 6, line 30.

Strike: "4"

Insert: "3"

11. Page 7, line 1.

Strike: "4"

Insert: "3"

12. Page 7, line 3.

Strike: section 10 in its entirety

And, as amended, do pass. Report adopted.

SB 276, be concurred in. Report adopted.

SB 277, be concurred in. Report adopted.

SJR 9, be concurred in. Report adopted.

JUDICIARY (Bennett, Chair):

3/17/2015

HJR 21, be adopted. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/16/2015

SB 180, be concurred in. Report adopted.

SB 338, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill passed and transmitted to the House for concurrence:

3/13/2015

HB 225, introduced by Ricci

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House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/13/2015

HB 102, introduced by Pinocci
HB 285, introduced by Flynn
HB 319, introduced by Olszewski

MESSAGES FROM THE GOVERNOR

March 17, 2015

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 19** sponsored by Representative Hill, **House Bill 80** sponsored by Representative Lynch, **House Bill 83** sponsored by Representative Hayman, and **House Bill 144** sponsored by Representative Redfield on March 17, 2015.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 613, introduced by T. Manzella, G. Bennett, B. Brown, A. Doane, D. Mortensen, R. Pinocci, S. Staffanson, referred to Local Government.
HB 614, introduced by A. Wittich, referred to Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative B. Bennett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 95 - Senate Amendments - Representative McCarthy moved Senate amendments to **HB 95** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 73

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Doane, Fitzpatrick, Glimm, Hertz, Hess, Lamm, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, White, Wittich.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 183 - Senate Amendments - Representative Mandeville moved Senate amendments to **HB 183** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.
Total 36

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

HB 433 - Representative Berglee moved **HB 433** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 97 - Representative White moved **SB 97** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Brodehl, B. Brown, Ellis, Manzella, Olszewski, Tschida, Wittich, Zolnikov.

Total 8

Excused: None.

Total 0

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Absent or not voting: Wagoner.

Total 1

SB 109 - Representative Kelker moved **SB 109** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Lavin.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 124 - Representative Lamm moved **SB 124** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Cook, McCarthy, Schwaderer, Welborn.

Total 4

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 126 - Representative Berglee moved **SB 126** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 90

Nays: J. Bennett, B. Brown, Z. Brown, Dudik, Jacobson, Olsen, Schreiner, Webber, Welborn, Woods.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 131 - Representative Doane moved **SB 131** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 151 - Representative Greef moved **SB 151** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Ballance, Manzella, Schwaderer.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 - Representative Flynn moved **SB 152** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Lamm, Olszewski, Wittich, Zolnikov.

Total 4

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair B. Bennett moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: Curdy, Dudik, Essmann, Fitzpatrick, Karjala, McCarthy, Pease-Lopez, Perry, Schreiner, Wilson.

Total 10

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 560 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

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Total 97

Nays: Cook, Holmlund.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 587 passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 21 concurred in as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 58

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Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Fitzpatrick, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Mandeville, Manzella, Meyers, Monforton, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 22 concurred in as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 58

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Manzella, Meyers, Miller, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 41

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 31 concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

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Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 94 concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Cook, Glimm, Miller, Monforton, Schwaderer, White, Wittich, Zolnikov.

Total 8

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Regier moved **HB 433** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Person moved to change their vote on **SB 131** from Not Voting to Yes. Without objection, so ordered.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Wednesday, March 18, 2015. Motion carried.

House adjourned at 1:43 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House